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Attorneys for Defendants
YELP INC., JEREMY STOPPELMAN, and
LANNY BAKER

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROEI AZAR, on Behalf of All Others Similarly
Situated,
Plaintiff,
vs.
YELP, INC., JEREMY STOPPELMAN and
LANNY BAKER,
Defendants.)
Case No. 3:18-cv-00400-EMC
CLASS ACTION
STIPULATION AND [PROPOSED]
ORDER ESTABLISHING SCHEDULE
FOR FILING CONSOLIDATED
AMENDED COMPLAINT, BRIEFING
DEFENDANTS' ANTICIPATED
MOTION TO DISMISS, AND TO
CONTINUE THE INITIAL CASE
MANAGEMENT CONFERENCE

WHEREAS, on January 18, 2018, Plaintiff Roei Azar filed a putative class action complaint (the “Complaint”) in the above-captioned action against defendants Yelp Inc. (incorrectly named in the caption as “Yelp, Inc.”), Jeremy Stoppelman, and Lanny Baker (“Defendants”), for violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (Dkt. No. 1);

1 WHEREAS, this action is subject to the Private Securities Litigation Reform Act of 1995
 2 (the “PSLRA”), 15 U.S.C. § 78u-4, which presumes that all discovery and other proceedings shall
 3 be stayed during the pendency of any motion to dismiss;

4 WHEREAS, on March 19, 2018, movants Jonathan Davis and Gady Davidian each filed a
 5 motion to appoint lead plaintiff and lead counsel (Dkt. Nos. 9-14);

6 WHEREAS, on April 24, 2018, service of the summons and Complaint was made on Yelp
 7 Inc. (Dkt. No. 21);

8 WHEREAS, on April 26, 2018, the Court: (i) granted the motion of Jonathan Davis
 9 (“Lead Plaintiff”) for appointment as interim lead plaintiff and to appoint Glancy Prongay &
 10 Murray LLP and Holzer & Holzer, LLC as interim co-lead counsel; (ii) directed that service shall
 11 be completed within two weeks; (iii) ordered that an amended complaint be filed within 60 days;
 12 and (iv) rescheduled the case management conference from May 31, 2018 to August 2, 2018 at
 13 9:30 a.m., and directed that the joint case management conference statement shall be filed by July
 14 26, 2018 (Dkt. Nos. 22-23);

15 WHEREAS, on April 30, 2018, counsel for the parties met and conferred regarding
 16 service on the remaining defendants, and the briefing schedule on Defendants’ anticipated motion
 17 to dismiss;

18 WHEREAS, the parties believe that, in light of the automatic stay of discovery under the
 19 PSLRA and in order to avoid the waste of the Court’s and the parties’ time and resources, it
 20 would be prudent to defer the initial case management conference and related deadlines until
 21 Lead Plaintiff has filed a consolidated amended complaint, Defendants have had the opportunity
 22 to file any motion to dismiss, and the Court has ruled on Defendants’ anticipated motion to
 23 dismiss.

24 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT**
 25 **TO APPROVAL BY THIS COURT**, by the parties through their respective counsel of record,
 26 as follows:

1 1. Lead Plaintiff shall file and serve a consolidated amended complaint on or before
2 June 25, 2018;

3 2. Defendants shall file and serve their motion to dismiss on or before August 9, 2018
4 and set a hearing date for November 8, 2018;

5 3. Lead Plaintiff shall file and serve the opposition to Defendants' motion to dismiss
6 on or before September 24, 2018;

7 4. Defendants shall file and serve their reply in further support of their motion to
8 dismiss on or before October 19, 2018;

9 5. The case management conference presently scheduled in the above-captioned
10 action for August 2, 2018, along with any associated deadlines under the Federal Rules of Civil
11 Procedure and Local Rules, shall be vacated, and reset to a date after the Court rules on
12 Defendants' anticipated motion to dismiss the consolidated complaint;

13 6. The parties have not sought any other extensions of time in this action; and

14 7. The parties do not seek to continue this date for the purpose of delay. The
15 proposed new date will not have an effect on any pre-trial and trial dates as the Court has yet to
16 schedule these dates.

17

18 SO STIPULATED.

19 DATED: May 7, 2018

/s/ Gilbert R. Serota

GILBERT R. SEROTA
Arnold & Porter Kaye Scholer LLP
Counsel for Defendants

22 DATED: May 7, 2018

/s/ Lesley Portnoy

Lesley Portnoy
Glancy Prongay & Murray LLP
Co-Counsel for Lead Plaintiff Jonathan Davis

24 DATED: May 7, 2018

/s/ Corey D. Holzer

Corey D. Holzer
Holzer & Holzer, LLC
Co-Counsel for Lead Plaintiff Jonathan Davis

Certificate Pursuant to Local Rule 5-1(i)(3)

I, Gilbert R. Serota, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order Establishing Schedule for Lead Plaintiff to File a Consolidated Amended Complaint, for Briefing on Defendants' Anticipated Motion to Dismiss, and to Continue the Initial Case Management Conference. In compliance with Local Rule 5-1(i)(3), I hereby attest that counsel for Lead Plaintiff Jonathan Davis concurs in this filing.

8 || DATED: May 7, 2018

/s/ Gilbert R. Serota

GILBERT R. SEROTA

* * *

ORDER

Based on the stipulation of the parties, and good cause appearing therefore, IT IS
HEREBY ORDERED that the Stipulation is approved.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED:

THE HONORABLE EDWARD M. CHEN
United States District Judge